

REMARKS

Reconsideration and reexamination of the application are requested. Claims 8-17 are canceled herein without prejudice or disclaimer. Claims 1-2 and 5-7 remain pending.

35 USC 112, second paragraph rejection

Claims 16 and 17 are rejected under 35 USC 112, second paragraph, as being indefinite. Claims 16 and 17 have been canceled, rendering the rejection moot. Applicants do not concede the propriety of the rejection.

35 USC 102 rejection

Claims 1, 2, 5-11, 13, 14 and 17 are rejected under 35 USC 102(e) as being anticipated by US 6,546,555 to Hjelsvold.

In addition, claims 12, 15 and 16 are rejected under 35 USC 103(a) as being unpatentable over Hjelsvold.

Claims 8-17 have been canceled, rendering the rejections thereto moot. Applicant does not concede the rejections, and reserves the right to pursue claims of identical scope in a later filed application.

Hjelsvold does not disclose every feature recited in independent claim 1, and therefore does not anticipate claim 1. Claim 1 recites a method of managing contents data for digital broadcasting. The claimed invention is directed to digital broadcasting technology where contents data, provided together with a digital broadcasting program, gives information on the program.

In contrast, Hjelsvold discloses a hypervideo filtering system that is used with the internet. For example, column 2, line 58 to column 3, line 32 indicates that the system is provided for selling digital video information over a communications network such as the internet.

Digital broadcasting is not equivalent to distributing video via the internet. As described by Applicant, digital broadcasting refers to the transmission of electric waves to a receiver such as a radio or a television (see, e.g., page 1, lines 11-13; page 7, lines 4-5 and 12-13; page 9, lines 14-18; etc.). In addition, Wikipedia defines "digital broadcasting" as the practice of using digital data rather than analog waveforms to carry

broadcasts over television channels or assigned radio frequency bands. (see http://en.wikipedia.org/wiki/Digital_broadcasting)

Therefore, Hjelsvold does not disclose digital broadcasting or a method of managing contents data for digital broadcasting using the steps recited in claim 1.

In addition, the application comprised of the collection of contents data is transmitted together with the program. The application is present independently of, and is a separate item from, the program. This is evidenced by claim 1 which recites that the application is processed in accordance with the ADF, followed by transmission of the processed application together with the program.

In contrast, the AIU of Hjelsvold is the source and destination node for a hyperlink (see column 2, lines 4-6). The AIU data is not present as an independent entity of the hypervideo but is rather present as an integral component of the hypervideo. For example, see column 2, lines 1-7 which indicate that in a hypervideo, there are many different types of AIU's. Therefore, the AIU data is not distributed together with a program as an independent entity in Hjelsvold. Rather, the AIU's are an integral portion of the hypervideo.

Further, the SMIL script file described by Hjelsvold instructs the streaming server how to create an output stream at streaming time (column 5, line 65 to column 6, line 2). The SMIL script file is an integration of multimedia, with the acronym SMIL defined as Synchronized Multimedia Integration Language, which is produced by merging two or more media objects. See column 4, lines 54-64.

In contrast, the ADF is not produced by merging two or more applications, but rather is designed depending on the characteristics of the contents contained in the single application. The ADF is not produced by integrating or merging multiple objects; rather the ADF is produced from the application. Therefore, the SMIL is not equivalent to the claimed ADF.

In view of these differences between the application and AIU's, and between the ADF and the SMIL script files, Hjelsvold does not disclose step d) in claim 1, including processing the application in accordance with the input ADF, followed by transmitting the processed application to a viewer together with the program.

For at least these reasons, Hjelsvold does not anticipate claim 1.

Claims 2 and 5-7 depend from claim 1 and are patentable therewith and need not be separately distinguished. Applicant does not concede the propriety of the rejections to the dependent claims.

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.



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Respectfully submitted,

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By:

A handwritten signature in dark ink, appearing to read "Curtis B. Hamre". The signature is written over a horizontal line.

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